

RESOLUTION NO. 2002-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI
CONSIDERING AND MAKING FINDINGS AS TO THE FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED
REDEVELOPMENT PLAN FOR THE LODI REDEVELOPMENT PROJECT
NO. 1; ADOPTING A STATEMENT OF FINDINGS, FACTS, AND
OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION
MONITORING PLAN

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WHEREAS, as the Lead Agency, the Redevelopment Agency of the City of Lodi (the "Agency") has prepared an Environmental Impact Report (the "EIR") on the proposed Redevelopment Plan (the "Redevelopment Plan") for the Lodi Redevelopment Project No. 1 (the "Project") pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq., hereinafter referred to as "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Section 15000 et seq., hereinafter referred to as the "State CEQA Guidelines"), and procedures adopted by the Agency relating to environmental evaluation; and

WHEREAS, the Agency transmitted for filing a Notice of Completion of the Draft EIR and thereafter in accordance with CEQA and the State CEQA Guidelines forwarded the Draft EIR to the State Clearinghouse for distribution to those state agencies which have discretionary approval or jurisdiction by law over natural resources affected by the Redevelopment Plan, to the affected taxing agencies, and to other interested persons and agencies and sought the comments of such persons and agencies; and

WHEREAS, notice to all interested persons and agencies inviting comments on the Draft EIR was published in accordance with the provisions of CEQA and the State CEQA Guidelines; and

WHEREAS, the Draft EIR was thereafter revised and supplemented to adopt changes suggested, to incorporate comments received during the public review period pursuant to CEQA and the State CEQA Guidelines, and to incorporate the Agency's responses to said comments, and as so revised and supplemented, a Final EIR was prepared by the Agency; and

WHEREAS, a joint public hearing was held by the Agency and the City Council of the City of Lodi (the "City Council") on June 19, 2002, on the Redevelopment Plan and the Final EIR, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or object thereto have been heard, and said Final EIR and all comments and responses thereto have been considered; and

WHEREAS, the Final EIR consists of the Draft EIR, as revised and supplemented to incorporate all comments received and the responses of the Agency thereto, and is part of the Agency's Report to the City Council on the Redevelopment Plan; and

WHEREAS, the City of Lodi is a Responsible Agency, as defined in Section 21069 of the Public Resources Code, with respect to the Redevelopment Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council has evaluated all comments, written and oral, received from persons who have reviewed the Final EIR and has duly reviewed and considered the Final EIR

prepared and certified by the Agency prior to adopting this resolution and acting on the Redevelopment Plan.

Section 2. The City Council hereby adopts the Statement of Findings, Facts, and Overriding Considerations relating to the environmental impact of the Redevelopment Plan for the Lodi Redevelopment Project No. 1 as set forth in Exhibit A attached hereto and incorporated herein by this reference (including, without limitation, the mitigation measures therein set forth). Based upon such Statement of Findings, Facts, and Overriding Considerations, the City Council hereby finds that all significant environmental effects have been eliminated or substantially lessened except the following unavoidable adverse impacts:

- (1) Long Term Regional Emissions Increases.

Based upon the foregoing, the City Council finds and determines that the Redevelopment Plan will have a significant effect upon the environment but that the benefits of the Redevelopment Plan outweigh the unavoidable adverse impacts for the reasons set forth in the Statement of Findings, Facts, and Overriding Considerations, in particular, Part V thereof.

Section 3. The City Council hereby adopts the Mitigation Monitoring Plan set forth in Exhibit B attached hereto and incorporated herein by this reference.

Section 4. Upon approval and adoption of the Redevelopment Plan by the City Council, the City Clerk is hereby directed to file a Notice of Determination with the County Clerk of the County of San Joaquin pursuant to the provisions of Section 21152 of CEQA and Section 15096(i) of the State CEQA Guidelines.

Dated: June 19, 2002

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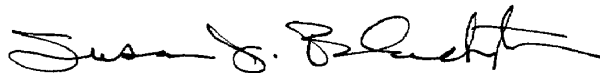
I hereby certify that Resolution No. 2002-131 was passed and adopted by the Lodi City Council in a special joint meeting of the Lodi City Council and the Redevelopment Agency of the City of Lodi held June 19, 2002 by the following vote:

AYES: COUNCIL MEMBERS – Howard, Land, Nakanishi, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – Hitchcock



SUSAN J. BLACKSTON
City Clerk

2002-131

EXHIBIT A

STATEMENT OF FINDINGS, FACTS, AND OVERRIDING CONSIDERATIONS RELATING TO THE ENVIRONMENTAL IMPACTS OF THE REDEVELOPMENT PLAN FOR THE LODI REDEVELOPMENT PROJECT NO. 1

I. INTRODUCTION

The California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA") provides, in Section 21081, that:

"[N]o public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

"(a) The public agency makes one or more of the following findings with respect to each significant effect:

"(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

"(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

"(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

"(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment."

As defined in CEQA, "significant effect on the environment" means a substantial, or potentially substantial, adverse change in the environment." (Public Resources Code Section 21068.)

II. DESCRIPTION OF THE PROJECT PROPOSED FOR APPROVAL

For purposes of CEQA, the "project" addressed in the Final Environmental Impact Report (the "Final EIR") is the adoption and phased implementation of the Redevelopment Plan (the "Redevelopment Plan") for the Lodi Redevelopment Project No. 1 (the "Project"). As more particularly identified in the Final EIR, the Project Area covers approximately 1,184 acres of land within the City of Lodi, including commercial, industrial, parks, residential and public right of way

land uses. Under the Redevelopment Plan, the Project would be developed in accordance with the land uses designated and permitted by the General Plan for the City of Lodi. The Final EIR describes the environmental impacts that may occur as a result of the adoption and phased implementation of the Redevelopment Plan and identifies, where applicable, measures which would mitigate significant effects on the environment to a level of insignificance. Findings regarding the significant effects of the Project are set forth below.

III. ENVIRONMENTAL IMPACTS OF THE PROJECT; FINDINGS REGARDING SIGNIFICANT EFFECTS OF THE PROJECT

This Part III identifies the potentially significant and unavoidably significant effects of the Project as determined by the Agency, including the findings and facts supporting the findings in connection therewith. The Final EIR discussed Hazardous Materials but no impacts were anticipated. The following areas were discussed in the Final EIR and include mitigation measures that are incorporated into the Redevelopment Plan or are unavoidably significant effects on the Project:

A. Land Use and Visual Factors

1. Environmental Impact

- **Adverse Land Use Compatibility Impacts.** Some project-facilitated land use changes within the Project Area could result in adverse land use compatibility impacts. Given the proximity of some existing, planned and anticipated residential uses in the Project Area to existing and planned commercial and industrial areas, project-assisted development could introduce significant new land use conflicts among specific residential, commercial and industrial developments.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:
 - (a) During City review and prior to approval of individual projects within the Project Area, emphasize the need to avoid significant new land use conflicts between non-residential and residential development, between sensitive new commercial uses and existing nuisance-prone commercial and industrial uses, and between new nuisance prone commercial and industrial uses and sensitive existing commercial uses.
 - (b) During review procedures and the formulation of conditions of approval, require assurances to City satisfaction of: (1) adequate land use separation, scale transition, and noise buffering; (2) creative siting of buildings to avoid conflicts; (3)

adequate protections against light, glare, and shadow impacts; (4) adequate odor control; (5) adequate offstreet parking provisions; (6) adequate and safe truck access and offstreet loading provisions; and (7) other common measures warranted to avoid such land use conflicts.

2. **Environmental Impact**

- **Visual Impacts on Specific Streetscapes Within the Project Area.** The visual quality of future development in specific opportunity areas within the Project Area would directly affect the quality of important city streetscapes. Without adequate design control, the Project could facilitate new industrial or mixed-use/commercial development that could adversely affect the visual quality of these highly visible industrial and mixed-use streetscapes, as well as the visual character of surrounding neighborhoods, and of the central area as a whole.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:
 - (a) Through the City's currently adopted development permit and design review process, future development in the Industrial Rail Corridor, East Industrial Area, Cherokee Lane Corridor and Lodi West subareas, as designated in the EIR, shall be subject to particularly focused and detailed design review. Implement specific visual impact mitigation guidelines set forth in the City's General Plan, Zoning Ordinance, Downtown Development Standards and Guidelines and Central City Revitalization Program in a manner that, to the satisfaction of City staff and the City's Architectural Approval Committee and Planning Commission, are sufficient to adequately protect and enhance the visual quality of these areas.
 - (b) Applications for future development and property improvements that are subject to discretionary approval in the Industrial Rail Corridor, East Industrial Area, Cherokee Lane Corridor and Lodi West subareas, as designated in the EIR, shall incorporate the appropriate combination of specific design guidelines listed in section 4.3 of the EIR in a manner that, to the satisfaction of City staff and the City's Architectural Approval Committee and Planning Commission, are sufficient to adequately reduce project related visual impacts on streets, residential neighborhoods, and the central area as a whole.

3. **Environmental Impact**

- **Potential Impacts on Visual Character and Image of Eastside Residential Neighborhood.** Project facilitated new multi-family development built in the Eastside neighborhood would have the potential to clash visually with the neighborhood's older, predominantly single-family residential character.
- **Finding:** The mitigation measure identified below is feasible and shall be required in or incorporated into the Project. The mitigation measure will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measure is incorporated into the Redevelopment Plan:

In review and processing of residential development projects within the Eastside residential neighborhood, place special emphasis on implementation of locational strategy contained in the Central City Revitalization Program to protect and improve the visual character and integrity of the neighborhood. Encourage locations at the edge of the neighborhood and require appropriate visual buffering and scale transition between new multi-family structures and existing single-family development, to the satisfaction of City staff and the City's Architectural Approval Committee and Planning Commission.

B. **Population, Housing and Employment**

1. **Environmental Impact**

- **Potential Jobs/Housing Balance Impacts.** Project-facilitated development and the projected addition of a substantially greater number of jobs than housing units in the Project Area may exacerbate the existing jobs/housing imbalance (weighted towards jobs in comparison to the County as a whole).
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measure is incorporated into the Redevelopment Plan:

Implementation of mitigation measures identified below in Section III.C.1 of this Statement of Findings, Facts and Overriding Considerations pertaining to project-related commute period vehicular traffic increases and associated project and cumulative transportation system impacts.

C. Transportation and Parking

1. Environmental Impact

- **Impact on Intersection Signalization Requirements.** Additional redevelopment related traffic would increase PM peak hour traffic volumes at the Pine Street/Central Avenue intersection above criteria levels set by Caltrans to determine whether installation of a traffic signal is warranted.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

Caltrans has established eleven possible tests, or "warrants", for determining whether installation of a traffic signal should be considered. Usually, two or more of these must be met before a signal is warranted. The EIR analysis indicates that only the warrant related to peak hour traffic volume would be met for the Pine Street/Central Avenue intersection. The City shall monitor traffic volumes and conditions at the Pine Street-Central Avenue intersection, and when two or more Caltrans signal warrant criteria are met, shall place the intersection on the City's priority list for signalization.

D. Infrastructure and Public Facilities

1. Environmental Impact

- **Anticipated Water Supply Impacts.** Anticipated increases in commercial activity, employment and residential population associated with the Project would result in corresponding increases in the demand for water service. The City is prepared to provide the additional domestic water necessary for anticipated additional development in the Project Area, but water table fluctuations due to basin overdraft give rise to some uncertainty regarding available water supply for the City's future needs.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.

- **Facts in Support of Finding:** The following mitigation measure is incorporated into the Redevelopment Plan:

Implement the City of Lodi General Plan Land Use and Growth Management Element policies which require the City to (1) develop new facilities, as necessary, to serve new development in accordance with the City's Water, Wastewater and Drainage Master Plans, and (2) assess water, wastewater and drainage development fees on all new residential, commercial, office and industrial development sufficient to fund required systemwide improvements.

2. **Environmental Impact**

- **Water Distribution System Inadequacies.** The existing water distribution system may not be adequate to serve anticipated new redevelopment facilitated development and intensification in the Project Area.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

As project facilitated development takes place over the next 20 years, implement remaining needed central area water distribution system improvements identified in Chapter 8 of the City's Water Master Plan. Water conservation should also be promoted as the Project Area redevelops.

3. **Environmental Impact**

- **Sewage Collection System Inadequacies.** The existing wastewater collection system may not be adequate to serve anticipated new redevelopment facilitated development and intensification in the Project Area.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

Continue to implement the central area sewage collection system improvements identified as needed in the City of Lodi General

Plan, and the City's Sanitary Sewer System Technical Report, including planned improvements to the Eastside neighborhood collection system.

4. **Environmental Impact**

- **Police Service Demand in Project Area.** Project-facilitated development and intensification within the Project Area would increase demands for police services in the Project Area.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

Police Department shall monitor the rate of additional police calls per year associated with the Project Area and the adequacy of associated response times. If warranted by the monitoring data, the City shall provide additional officers and facilities (funded through the City's general fund). Following established City procedures, the Police Department shall also review discretionary approvals for project-facilitated commercial and residential development within the Project Area.

5. **Environmental Impact**

- **Fire Protection and Emergency Medical Service Demand in Project Area.** Project-facilitated development and intensification within the Project Area would increase demands for fire protection and emergency medical services in the Project Area.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

Fire Department shall monitor the rate of additional fire protection service calls per year associated with the Project Area and the adequacy of associated response times. If warranted by the monitoring data, the City shall provide additional firefighters and equipment (funded through the City's general fund). Following established City procedures, the Fire Department shall also review discretionary approvals for project-facilitated commercial and residential development within the Project Area.

6. **Environmental Impact**

- **School Service Demand.** Existing Lodi Unified School District (LUSD) schools serving the Project Area may not have sufficient capacity to accommodate the additional school population generated by project-facilitated residential development.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:
 - (a) ***Redevelopment Agency shall make the statutory pass-through payment of tax increment revenue to the LUSD and the San Joaquin County Office of Education pursuant to Health and Safety Code section 33607.5.***
 - (b) ***City shall require developers in the Project Area to pay state authorized school impact fees to the extent approved by the LUSD. Individual project applicants may also choose to enter into agreements with the LUSD to provide additional impact fees negotiated with LUSD.***

7. **Environmental Impact**

- **Project Park Demand.** Park and recreation facilities in the Project Area are already operating at capacity. Project-facilitated development and intensification in the Project Area would incrementally increase the demand for park and recreation services. Based on estimated population increase in the Project Area, the City will need approximately 1.83 acres of additional park land to meet the increased demand.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

City shall ensure that at least 1.83 acres of parkland is developed within or convenient to the Project Area. As project-facilitated build-out takes place in the Project Area, adequate corresponding park and recreation provisions shall be provided through required

dedication of land and/or in-lieu payment of City adopted park and recreation fees.

E. Drainage and Water Quality

1. Environmental Impact

- **Erosion, Sedimentation and Urban Runoff Pollutants.** Building construction and infrastructure improvements in the Project Area could further degrade downstream water quality. Factors contributing to downstream water quality problems include soil disturbance during construction, new impervious surfaces created with project-facilitated developments, increased vehicle traffic, and herbicides, pesticides and fertilizers from new landscaping associated with project-facilitated development.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a less than significant level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:
 - (a) City shall require applicants for each future project-facilitated development requiring a discretionary approval to comply with all applicable state, regional and City water quality provisions.
 - (b) For projects involving the grading of more than five acres, applicant shall be required to (1) file with the Regional Water Quality Control Board a Notice of Intent to comply with the Statewide General Permit for Construction Activities, (2) prepare and implement a project-specific Stormwater Pollution Prevention Plan (including erosion control plan) if grading is involved, (3) implement a monitoring, inspection and documentation program to assure the effectiveness of control measures, (4) obtain or comply with existing General Stormwater Discharge Permits for Industrial Activities, where applicable, and (5) comply with the NPDES Phase II Non-Point Discharge program.

F. Noise

1. Environmental Impact

- **Exposure of Sensitive Land Uses to Excessive Environmental Noise**

Project facilitated intensification of and changes in land uses in the

Project Area could expose additional people to noise levels exceeding acceptable levels.

- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:
 - (a) Noise impacts can be reduced through appropriate site planning, construction of noise barriers, and/or incorporation of noise insulation features into a project's design as specified in the City of Lodi General Plan. Evaluate the impact of each redevelopment-facilitated discretionary development application in the Project Area on the noise environment, particularly when proposed near major transportation noise sources.
 - (b) Require noise assessments for all redevelopment-facilitated discretionary applications in areas adjoining commercial or industrial noise sources, and for noise-generating development facilitated by the redevelopment plan when proposed adjacent to noise sensitive land uses.

2. **Environmental Impact**

- **Redevelopment Facilitated Construction Noise.**

Residential and other noise-sensitive uses located adjacent to project-facilitated construction activities could be exposed to noise levels that would interfere with normal activities.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

City shall require the use of a combination of the following reasonable construction practices for projects when noise-sensitive receptors are located in the project vicinity, including restricting construction to avoid noise generating activity in the early morning, evening, and on Sundays and holidays, muffling and properly maintaining all internal combustion engine driven equipment, locating stationary noise-generating equipment as far as possible from sensitive receptors, routing construction traffic to and from the project site via designated truck routes, utilizing

"quiet" air compressors and other stationary noise sources where such technology exists, and designation of a "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise.

G. Air Quality

1. Environmental Impact

- **Construction Activity Air Quality** Construction activities facilitated by the proposed redevelopment plan could generate construction period exhaust emissions and fugitive dust that could affect local air quality. In addition, buildings constructed prior to 1979 could have Asbestos Containing Materials (ACMs) which could be released into the air during building demolition.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

City shall require that individual redevelopment-facilitated projects involving new construction shall comply, where applicable, with the current San Joaquin Valley Unified Air Pollution Control District ("SJVUAPCD") Regulation VIII requirements. In addition, the City may also require a limitation on traffic speeds on unpaved roads to 15 miles per hour, installation of wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site, suspension of excavation and grading activities when winds exceed 20 miles per hour, and/or a limitation on the size of the area subject to excavation, grading or other construction activity at any one time to avoid excessive dust. To mitigate any potential demolition-related air quality impacts from ACMs, the demolition contractor would be required to comply with all local, state and federal regulations regarding determination of existence of ACMs and proper removal and disposal to reduce air quality risks associated with airborne ACMs. Prior to the start of construction, the applicant shall submit a dust control plan demonstrating compliance with all SJVUAPCD and City required control measures.

2. Environmental Impact

- **Long-Term Regional Emissions Increases** Emissions resulting from new vehicle trips generated by redevelopment facilitated intensification in the Project Area would, by the year 2020, generate Reactive Organic Gases and Nitrogen Oxides in

amounts that would exceed the applicable thresholds of significance for each pollutant. These emissions would constitute a significant project impact and would be expected to contribute to a significant cumulative impact.

- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. Notwithstanding incorporation of these mitigation measures, the Long-Term Regional Emissions Increases are an unavoidable significant effect. Specific economic, legal, social, technological or other benefits of the Project make the alternatives infeasible and outweigh this significant effect.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:
 - (a) Where practical, future development proposals shall include physical improvements that would act as incentives for pedestrian, bicycle and transit modes of travel.
 - (b) Employment-generating development projects of 10,000 square feet or more shall be required to provide secure and weather-protected bicycle and shower/locker facilities for employees.
 - (c) Employment-generating development projects shall provide carpool/vanpool incentives, develop an employee rideshare incentives program, or use other feasible transportation demand measures to reduce vehicle trip generation.

The specific economic, legal, social, technological or other benefits of the Project are more particularly described in the Statement of Overriding Considerations contained in Part V of this Statement of Findings, Facts and Overriding Considerations.

H. Vegetation and Wildlife

1. Environmental Impact

- **Potential Loss of Special-Status Species** Redevelopment-facilitated development consistent with the City of Lodi General Plan may result in impacts on special status species.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.

- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

If disturbance to suitable giant garter snake habitat is proposed as part of a redevelopment assisted development or improvement project, systematic surveys shall be conducted before such a development is approved in order to determine definitively whether any giant garter snakes occur. If any populations are encountered, an appropriate mitigation plan shall be developed in consultation with, and meeting the mitigation criteria of, the California Department of Fish and Game and the United States Fish and Wildlife Service and in compliance with specifications of section 5.2.4.8 of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan.

2. **Environmental Impact**

- **Jurisdictional Wetland Impacts** Redevelopment-facilitated development could affect potential jurisdictional wetland habitat.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

All redevelopment-facilitated development that would involve modifications to potential wetlands and other waters, such as seasonal wetlands that could be present in vacant or under used parcels, shall be coordinated with representatives of the California Department of Fish and Game and the U.S. Army Corps of Engineers, as required by federal and state law, to ensure that any required mitigation protocols and associated project design modifications are incorporated into proposed improvement plans during the initial stages of project review.

I. **Cultural and Historic Resources**

1. **Environmental Impact**

- **Project-Related Potentials for Disturbance of Archaeological Resources**

Development encouraged and improvements funded by the proposed redevelopment program could disturb sensitive archaeological resources in the Project Area.

- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

In the event that subsurface cultural resources are encountered during approved ground-disturbing activities for a redevelopment program-related construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the find. The discovery or disturbance of any cultural resources should also be reported to the Central California Information Center, and if prehistoric, to the Native American Heritage Commission. Identified cultural resources should be recorded on a State Department of Parks and Recreation Form 422. Mitigation measures prescribed by these groups and required by the City should be undertaken prior to resumption of construction activities.

2. **Environmental Impact**

- **Destruction/Degradation of Historic Resources** Project-facilitated development in the Project Area has the potential to destroy or substantially degrade historic resources, if these resources are not identified or recognized and their maintenance, rehabilitation or appropriate reuse are not promoted.
- **Finding:** The mitigation measures identified below are feasible and shall be required in or incorporated into the Project. The mitigation measures will reduce the impact to a "less than significant" level.
- **Facts in Support of the Finding:** The following mitigation measures are incorporated into the Redevelopment Plan:

All future redevelopment-assisted public improvement projects and private development projects shall be evaluated for the presence of and potential impacts on historic resources. If disturbance of a historic resource cannot be avoided, a mitigation program shall be implemented. The City and private sponsors of future individual projects on sites that contain unlisted structures 45 years or older shall have a qualified professional architectural historian prepare a report to evaluate the suitability of the structure for historic status. If the structure is determined to be eligible for historic status, the Lodi Planning Commission should determine whether the structure should be preserved in place, offered for relocation to another site, or documented with photographs and a report for submittal to a museum or library prior to demolition.

Alternatively, a single survey of the Project Area shall be completed and any buildings 45 years of age or older be evaluated and their potential architectural and/or historic significance be determined, prior to any project-facilitated development.

IV. FINDINGS REGARDING ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR describe a range of reasonable alternatives to the Project or to the location of the Project which could feasibly attain the basic objectives of the Project and to evaluate the comparative merits of the alternatives. Section 15126(d)(1) of the State CEQA Guidelines states that the "discussion of alternatives shall focus on alternatives to the project or to its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly."

As more particularly set forth in the Final EIR, the Project was compared to the following alternatives: (1) a "no project" alternative; (2) a modified Project Area boundary; (3) a modified list of Project Area redevelopment actions and/or modified allocation of redevelopment funds to the various actions; (4) an alternative Project Area location; and (5) the Project incorporating the mitigation measures listed in the Final EIR. The following discussion briefly summarizes the listed alternatives.

No Project Alternative: Under the No Project alternative, the Redevelopment Plan would not be adopted. No actions would be taken by the Lodi Redevelopment Agency to remove blighting conditions and stimulate additional private investment in the proposed Project Area. No Redevelopment Agency funding would be provided towards housing assistance in the Project Area, and no Redevelopment Agency actions would be taken to fund infrastructure and facility improvements, or to redevelop property. Although it is not possible to quantify the exact level of public and private development that would occur in the proposed Project Area under the No Project alternative, it is reasonable to assume that, with no Redevelopment Agency activity in the Project Area to fund public improvements and to attract an increased level of private investment, existing blighting conditions would remain or worsen. The No Project Alternative is not a viable alternative because it will not meet the basic goal of eliminating and removing blight in the Project Area.

Modified Project Boundary Alternative: This alternative would be similar to the proposed project in terms of allocation of funding, but would involve either a reduced area boundary or an enlarged area boundary. Under the reduced area boundary, the overall effectiveness of the redevelopment program would be lessened, since selected activities would have to be reduced or eliminated to compensate for the reduced tax increment revenues accruable to the Redevelopment Agency. If the reduced boundary alternative were selected, the extent of potential growth in the Project Area subject to redevelopment assistance and incentives would be reduced and a corresponding decrease in the land use, traffic, public services, visual, vegetation and wildlife, noise, air quality, and other impacts identified in the EIR could be anticipated. The reduced project area alternative will not effectively reduce and eliminate the blight existing throughout the Project Area and therefore is not a viable alternative.

The enlarged area boundary alternative would not be a viable alternative under state redevelopment law. The proposed boundaries of the Project Area were carefully selected

based on identification of areas that contain blighted conditions, could benefit from redevelopment activities, and could meet certain other redevelopment law parameters. A combination of blight and general urbanization conditions has not been identified outside the Project Area at the present time.

Modified Redevelopment Activities: This alternative would include the same boundaries proposed by the project, but with a modified allocation of project-generated revenues to redevelopment activities within the Project Area. The modified allocation would increase the percentage of total project-related revenue for affordable housing from approximately 20 percent (as proposed in the Project) to approximately 35 percent, with the 15 percent difference taken from the public infrastructure improvement, site assembly and other components of the redevelopment program. Although this alternative would have some positive environmental effects, it would also reduce the beneficial land use compatibility effects of the project, reduce the rate of market rate housing and job growth, and decrease the funding available for storm drainage and flood control improvements, assistance for preservation and maintenance of historic resources, and development driven hazardous waste clean-up. This alternative could further result in a reduced overall level of physical rehabilitation in the proposed Project Area and an associated reduction in facilitation of blight elimination. Because this alternative will not meet the basic goal of eliminating and removing blight in the Project Area, it is not a viable alternative.

Alternative Project Area Location: This alternative examined the potential for the Project Area to be located on other sites. However, the boundaries of the proposed Project Area were precisely established based on the maximum area within which identified blighted conditions currently occur, in combination with other urbanization parameters set forth in state redevelopment law. No additional areas are currently identified in the project vicinity that appear to meet redevelopment law criteria for blight. The fundamental purpose of the redevelopment project is to authorize activities and financing to enable the Redevelopment Agency to eliminate blighted conditions. Redevelopment Agency establishment of an alternative site for the Project Area would fail to attain the basic objectives of the proposed project. Therefore, this is not a viable alternative.

Project Incorporating Mitigation Measures: This alternative consists of the Project as proposed with the incorporation of all mitigation measures recommended in the EIR. As stated above, the mitigation measures recommended in the EIR shall be incorporated into the Project. This is therefore the Project to be considered by the City Council and the Agency. This alternative effectively achieve the goals of the Redevelopment Project and would mitigate all environmental effects to a less than significant levels, except for long-term regional emissions of air pollutants, which is a significant and unavoidable effect.

Finding: After consideration of all the alternatives, the Agency and City Council find that the Project Incorporating Mitigation Measures is the "environmentally superior" alternative since the proposed Project Incorporating Mitigation Measures most effectively achieves the basic goal of eliminating and removing blight in the Project Area, and provides a funding source for the proposed public improvements which are necessary to alleviate existing blighting conditions in the Project Area. In addition, all potentially significant impacts identified in the Final EIR except for the long-term regional emissions have been eliminated or reduced to a less than significant level by incorporation of appropriate mitigation measures as part of the proposed Project.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. As set forth in Part III hereof, the Agency and the City Council have determined that the only unavoidable environmental consequence of the Project is the following:

1. Long-Term Regional Emissions Increases.

The Agency and the City Council find that the above-referenced unavoidable environmental consequence of the Project is acceptable when balanced against its benefits. This finding is based on the following facts:

1. The Project will serve a critical need, that being the elimination and prevention of the spread of blight and deterioration in the Project Area and the conservation, rehabilitation and redevelopment of the proposed Project Area in accordance with the Redevelopment Plan, the General Plan for the City of Lodi and local codes and ordinances.
2. The promotion of new and continuing private sector investment within the Project Area will prevent the loss of and facilitate the capture of commercial sales activity.
3. The Project will allow for the elimination of blight through abatement or code enforcement, rehabilitation and reconstruction, new development, and the assembly of parcels into more developable sites for more desirable uses.
4. The Project will result in the elimination or amelioration of certain environmental deficiencies, including substandard vehicular circulation systems, inadequate storm drainage systems, inadequate off-street parking, and other similar public improvement deficiencies adversely affecting the Project Area.
5. New construction within the Project Area will result in an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.
6. Project implementation would result in the retention and expansion of businesses by means of redevelopment and rehabilitation activities and by encouraging and assisting in the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.
7. Revitalized commercial and industrial development will result in the creation and development of local job opportunities and the preservation of the area's existing employment base.
8. Project implementation will strengthen the economic base of the Project Area and the City by installing needed site improvements and stimulating commercial, industrial, and residential development.

9. Project implementation will expand and improve the City's supply of affordable housing.

EXHIBIT "B"

MITIGATION MONITORING CHECKLIST--LODI REDEVELOPMENT PLAN

June 7, 2002

The environmental mitigation measures listed in column two below have been incorporated into the conditions of approval for the Lodi Redevelopment Plan in order to mitigate EIR-identified environmental impacts. A completed and signed chart will indicate that each mitigation requirement has been complied with, and that City and State monitoring requirements have been fulfilled with respect to Public Resources Code Section 21081.6.

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (CONDITION OF APPROVAL)	MONITORING				VERIFICATION	
		Impl. Entity ¹	Type of Monitoring Action	Timing Requirements	Monitoring and Verification Entity	Signature	Date
LAND USE AND VISUAL FACTORS							
Impact 4.1: Adverse Land Use Compatibility Impacts. In addition to beneficial land use compatibility effects, some project-facilitated land use changes within the Project Area could result in adverse land use compatibility impacts. Given the proximity of some existing, planned and anticipated residential uses in this area to existing and planned commercial and industrial areas, project-assisted intensification could introduce significant new land use conflicts among specific residential, commercial, and industrial developments (e.g., traffic, visual, light, noise, parking, odor and other conflicts). Such project-induced effects represent <i>potentially significant adverse land use compatibility</i> .	Mitigation 4.1: During City review and prior to approval of individual development projects within the redevelopment area, emphasize the need to avoid significant new land use conflicts between non-residential and residential development, between sensitive new commercial uses and existing nuisance-prone commercial and industrial uses, and between new nuisance prone commercial and industrial uses and sensitive existing commercial uses. During these review procedures and the formulation of conditions of approval, require assurances to City satisfaction of: (1) adequate land use separation, scale transition, and noise buffering; (2) creative siting of buildings to avoid conflicts; (3) adequate protections against light, glare, and shadow impacts; (4) adequate odor control; (5) adequate offstreet parking provisions; (6) adequate and safe truck access and offstreet loading provisions; and (7) other common measures warranted to avoid such land use conflicts. Implementation of these measures would be expected to reduce potential land use compatibility impacts to a <i>less-than-significant level</i> .	City, individual applicants	Verify during plan check	Prior to any bldg. or grading permit	Lodi Redevelopment Agency or City		
Impact 4.2: Visual Impacts on Specific Streetscapes Within the Project Area. Portions of the industrial rail corridor and east industrial subareas have been identified by City staff (see subsection 4.3.2) as anticipated industrial development opportunity areas, and are largely visible from adjoining major through-routes (e.g., Cherokee Lane, Lockeford Street, Stockton Street, Pine Street and Lodi Avenue) and from adjoining residential neighborhoods and the downtown. Similarly, anticipated commercial development intensification along Lodi Avenue West and the Cherokee Lane Corridor (see section 4.3.2) would be highly visible from those primary travel routes. The visual quality of future development in these	Mitigation 4.2: Through the City's currently-adopted development permit and design review process, future development in the Industrial Rail Corridor, and East Industrial Area, Cherokee Lane Corridor and Lodi Avenue West subareas shall be subject to particularly focused and detailed design review. Implement specific visual impact mitigation guidelines set forth in the <u>General Plan, Zoning Ordinance, Downtown Development Standards and Guidelines and Central City Revitalization Program</u> that, to the satisfaction of City staff and the City's Architectural Approval Committee and Planning Commission, are sufficient to adequately protect and enhance the visual quality of these areas. In addition, applications for future new developments and	City, individual applicants	Verify during plan check and design review	Prior to any bldg. or grading permit	Lodi Redevelopment Agency or City		

1 - Impl. Entity = Implementation Entity

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specific opportunity areas would directly affect the quality of these important city streetscapes. Without adequate design control, the project could facilitate new industrial or mixed-use/commercial development that could adversely affect the visual quality of these highly visible industrial and mixed-use streetscapes, as well as the visual character surrounding neighborhoods, and of the central area as a whole. Such possible effects constitute a <i>potentially significant adverse visual impact</i> .							
Impact 4.3: Potential Impacts on the Visual Character and Image of the Eastside Residential Neighborhood. Although the Eastside neighborhood has been downzoned to preclude infiltration of additional multi-family development within predominantly single-family areas, some multi-family development would be expected to occur along the edge of downtown. Such project-facilitated multi-family development has the potential to add to Eastside neighborhood visual deficiencies created by existing, poorly designed, multi-family residential units. Project-facilitated new multi-family units would have the potential to clash visually with the neighborhood's older, predominantly single-family residential character. Such an effect would represent a <i>potentially significant adverse visual impact</i> .	Mitigation 4.3: In the review and processing of residential development projects within the eastside residential neighborhood, place special emphasis on implementation of locational strategies contained in the <u>Central City Revitalization Program</u> to protect and improve the visual character and integrity of the neighborhood. Encourage locations at the <u>edge</u> of the neighborhood and require appropriate visual buffering and scale transition between new multi-family structures and existing single-family development, to the satisfaction of City staff and the City's Architectural Approval Committee and Planning Commission. This measure would reduce the impact to a <i>less-than-significant level</i> .	City, individual applicants	Verify during plan check and design review	Prior to any bldg. or grading permit	Lodi Redevelopment Agency or City		
POPULATION AND HOUSING							
Impact 5.1: Potential Jobs/Housing Balance Impacts. Project-facilitated development may contribute to the existing jobs/housing imbalance in Lodi (weighted towards jobs in comparison to the County as a whole). The projected addition of a substantially greater number of jobs than housing units in the Project Area would	Mitigation 5.1: Implement <i>Mitigations 6-1 and 10-2</i> pertaining to project-related commute period vehicular traffic increases and associated project and cumulative transportation system and air quality impacts. Implementation of these measures would reduce the one identified significant environmental effect associated with	City staff	Monitor traffic volumes at Pine Street/Central Ave. Intersection; install signal when warranted	Annually	Lodi Redevelopment Agency or City		

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exacerbate this imbalance. Such an effect would constitute a <i>potentially significant adverse impact</i> .	project-related incommuting increases to a <i>less-than-significant</i> level.						
TRANSPORTATION AND PARKING							
Impact 6-1: Impact on Intersection Signalization Requirements. The added PM peak hour traffic due to the redevelopment-related additional traffic would increase PM peak hour volumes above Caltrans Signal Warrant #11 criteria levels at the Pine Street/Central Avenue all-way-stop intersection. Although projected PM peak hour operation at this intersection with the project would not exceed LOS D, this signal warrant effect would represent a <i>potentially significant impact</i> .	Mitigation 6-1. Caltrans has established 11 possible tests or "warrants" for determining whether installation of a traffic signal should be considered. These warrants each consider different criteria such as peak hour traffic volume, pedestrian volume, presence of school children, and accident history. Usually, two or more "warrants" must be met before a signal is warranted. The fact that this EIR analysis indicates that Warrant #11 (related to peak hour traffic volumes) would be met indicates that a detailed signal warrant analysis covering all possible Caltrans warrants is appropriate. The City shall therefore monitor traffic volumes and conditions at the Pine Street/Central Avenue intersection, and when two or more Caltrans signal warrant criteria are met, shall place the intersection on the City's priority list for signalization. This measure would reduce this impact to a <i>less-than-significant level</i> .	City staff	Monitor traffic volumes at Pine Street/Central Ave. intersection; install signal when warranted	Annually	Lodi Redevelopment Agency or City		
INFRASTRUCTURE AND PUBLIC FACILITIES							
Impact 7.1-1: Anticipated Water Supply Impacts. Additional development facilitated by or otherwise associated with implementation of the proposed redevelopment plan and associated increases in commercial activity, employment, and residential population (see housing, population and employment increase estimates in section 5.3 of this EIR) would result in corresponding increases in the demand for water service. The City, as water purveyor, is prepared to provide the additional domestic water necessary for anticipated additional development in this area, including anticipated project-facilitated commercial growth and population increases, within the City's existing water entitlements and distribution systems.	Mitigation 7.1-1. Implement the following two City of Lodi General Plan <i>Land Use and Growth Management Element</i> policies: <ul style="list-style-type: none"> The City shall develop new facilities, as necessary, to serve new development in accordance with the City's Water, Wastewater, and Drainage Master Plans. (Policy 1) The City shall assess water, wastewater, and drainage development fees on all new residential, commercial, office and industrial development sufficient to fund required systemwide improvements. (Policy 2) 	City and/or redev. agency staff	Develop new facilities as necessary; assess established fees on new development	Condition of approval for major new development projects	Lodi Redevelopment Agency or City		

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However, while aquifers yield water readily to the City's wells, water table fluctuations due to basin overdraft give rise to some uncertainty regarding available water supply for the City's future needs. Anticipated project-facilitated growth within the redevelopment area would therefore be considered to have a <i>potentially significant impact</i> on water service.	City and Redevelopment Agency implementation of these two policies as project-facilitated development takes place over the next 20 years would ensure that project-related impacts on the adequacy of City water sources would be reduced to a <i>less-than-significant level</i> .						
Impact 7.1-2: Water Distribution System Inadequacies. The existing water distribution system may not be adequate to serve anticipated new redevelopment-facilitated development and intensification in the Project Area. This potential deficiency represents a <i>potentially significant impact</i> .	Mitigation 7.1-2: As project-facilitated development takes place over the next 20 years, implement remaining needed central area water distribution system improvements identified in Chapter 8 of the City's <i>Water Master Plan</i> . Water conservation should also be promoted as the Project Area redevelops. Implementation of these measures would reduce project-related water distribution impacts to a <i>less-than-significant level</i> .	City and/or Redevel. Agency staff	Implement water distribution system improvements as needed	Condition of approval for major new development projects	Lodi Redevelopment Agency or City		
Impact 7.2-1: Sewage Collection System Inadequacies. The existing wastewater collection system serving the Project Area may not be adequate to serve anticipated new development and intensification in the Project Area. This potential deficiency represents a <i>potentially significant impact</i> .	Mitigation 7.2-1: Continue to implement the central area sewage collection system improvements identified as needed in the City of Lodi General Plan, and the City's <i>Sanitary Sewer System Technical Report</i> , including the planned improvements to eastside neighborhood collection system. Implementation of these measures over the next 20 years would reduce project wastewater collection system impacts to a <i>less-than-significant level</i> .	City and/or Redevel. Agency staff	Implement sewage collection system improvements as needed	Condition of approval for major new development projects	Lodi Redevelopment Agency or City		
Impact 7.3-1: Police Service Demand Impacts in Project Area. Plan-facilitated development and intensification within the Project Area would increase demands for police service. The City of Lodi Police Department may require additional staffing or equipment to serve these added demands. The proposed redevelopment plan would therefore have a <i>potentially significant impact</i> on police services.	Mitigation 7.3-1: The Police Department shall monitor the rate of additional police calls per year associated with the Project Area and the adequacy of associated response times. As warranted by the monitoring data, the City shall provide additional officers and facilities (funded through the City's general fund). Following established City procedures, the Police Department shall also review discretionary approvals for project-facilitated commercial and residential development within the Project Area. Implementation of these measures would reduce the impact to a <i>less-than-significant level</i> .	Lodi Police Dept. and City staff	Annual response time monitoring reports; normal review of individual discretionary project applications	Annual monitoring; condition of approval for major new projects	Lodi Redevelopment Agency or City		

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Impact 7.4-1: Fire Protection and Emergency Medical Service Demand Impacts in the Project Area. Project-facilitated development and intensification within the Project Area would increase demands for fire protection and emergency medical services. Depending on the type of use, density, and occupancy of individual project-facilitated developments, the City of Lodi Fire Department may require additional staffing or equipment to meet its fire protection goals. The proposed redevelopment plan may therefore have a <i>potentially significant impact</i> on fire protection and emergency medical services.	Mitigation 7.4-1: The Fire Department shall monitor the rate of additional fire protection service calls per year associated with the Project Area and the adequacy of associated response times. If warranted by the monitoring data, the City shall provide additional firefighters and equipment (funded through the City's general fund). Following established City procedures, the Fire Department shall also review discretionary approvals for project-facilitated commercial and residential development within the Project Area. These measures would reduce the impact to a <i>less-than-significant level</i> .	Lodi Fire Dept.	Annual fire call monitoring reports; normal review of individual discretionary project applications	Annually	Lodi Redevelopment Agency or City		
Impact 7.5-1: School Service Demand Impacts. Existing Lodi Unified School District (LUSD) schools serving the Project Area may not have sufficient capacity to accommodate the additional school population generated by project-facilitated residential development. The project-related increase in demand for school service would therefore represent a <i>potentially significant impact</i> .	Mitigation 7.5-1: The Lodi Redevelopment Agency shall make the statutory pass-through payment of tax increment revenue to the LUSD and the San Joaquin County Office of Education pursuant to Health and Safety Code section 33607.5. In addition, the City of Lodi shall require developers in the redevelopment area to pay state-authorized school impact fees to the extent approved by the LUSD. Individual project applicants may also choose to enter into agreements with the LUSD to provide additional impact fees negotiated with the LUSD. These measures would be expected to enable the LUSD to fund school improvements necessary to accommodate students from project-facilitated development, reducing this impact to a <i>less-than-significant level</i> .	City and/or Redevel. Agency staff	Ensure all pass-throughs and school fee payments have been made	Prior to final project approval for new projects	Lodi Redevelopment Agency or City		
Impact 7.6-1: Project Park Demand Impacts. Park and recreation facilities in the Project Area are already operating at capacity. Project-facilitated development and intensification in the Project Area would incrementally increase the demand for park and recreation services. As discussed in chapter 5 (Population, Housing, and Employment) of this EIR, it is estimated that project-facilitated development would generate approximately 210 additional households in the Project Area. Based on the anticipated citywide year 2020 household size of 2.56 persons (see Table 5.2 in section 5.3), the 210 new households would generate a population increase of approximately 538 people. Based on the most recent City park acreage standard	Mitigation 7.6-1: Mitigation for Park Demand Impacts. The City shall ensure that at least 1.83 acres of parkland is developed within or convenient to the Project Area. As project-facilitated buildout takes place in the Project Area, adequate corresponding park and recreation provisions shall be provided through required dedication of land and/or in-lieu payment of City adopted park and recreation fees. Implementation of this measure would reduce this impact to <i>less-than-significant levels</i> .	City and/or Redevel. Agency staff	Verify parkland dedication or fee payment during plan check	Prior to grading or building permit	Lodi Redevelopment Agency or City		

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(3.4 acres per 1,000 persons), this new population increment would generate a demand for approximately 1.83 acres of additional parkland. Additional project-facilitated employment growth, estimated at 2,014 jobs by the year 2020, may also generate some additional demand for park and recreation services in the Project Area. Existing Project Area facilities do not have sufficient capacity to accommodate this additional demand. This project effect would therefore represent a <i>significant impact</i> .							
DRAINAGE AND WATER QUALITY							
Impact 8-1: Project-Related Erosion, Sedimentation and Urban Runoff Pollutants. Redevelopment program-facilitated building construction and infrastructure improvements in the Project Area could further degrade downstream water quality. Associated factors that may contribute to downstream water quality problems include soil disturbance during construction, new impervious surfaces created with project-facilitated developments; and increased vehicle traffic, and herbicides, pesticides, and fertilizers from new landscaping associated with project-facilitated development. This combination of factors represents a <i>potentially significant impact</i> .	Mitigation 8-1: The City shall require the applicant for each future project-facilitated development requiring a discretionary approval to comply with all applicable state, regional and City water quality provisions and, for projects involving the grading of more than five (5) acres: (a) file with the RWQCB a <i>Notice of Intent</i> to comply with the Statewide General Permit for Construction Activities, (b) prepare and implement a project-specific <i>Stormwater Pollution Prevention Plan</i> (including an erosion control plan) if grading is involved, (c) implement a monitoring, inspection, and documentation program to assure the effectiveness of control measures, (d) obtain or comply with existing General Stormwater Discharge Permit(s) for Industrial Activities, where applicable, and (e) comply with the NPDES Phase II Non-Point Discharge program. Implementation of these requirements would reduce this impact to a <i>less-than-significant level</i> .	City and/or Redevel. Agency staff	Verify during plan check and during construction-period inspections	Prior to grading permit, and during grading	Lodi Redevelopment Agency or City		
NOISE							
Impact 9-1: Project-Related Exposure of Sensitive Land Uses to Excessive Environmental Noise. Project-facilitated intensification of and changes in land uses in the Project Area could expose additional people to noise levels exceeding acceptable levels--i.e., to noise levels identified in the <u>Lodi General Plan</u> as "conditionally acceptable," "normally unacceptable" or "unacceptable" for the associated land use. Such new exposure	Mitigation 9.1: Noise impacts can be reduced through appropriate site planning (e.g., setbacks, noise-protected areas), construction of noise barriers, and/or incorporation of noise insulation features into a project's design as specified in the <u>City of Lodi General Plan</u> . As part of the future environmental review process for individual projects, new developments facilitated by the redevelopment plan shall be evaluated. Evaluate each redevelopment-facilitated discretionary	City and/or Redevel. Agency staff; individual applicants	Condition of individual project approval; verify during plan check that any required noise studies have been completed	During individual project environ. review	Lodi Redevelopment Agency or City		

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possibilities constitute a <i>potentially significant impact</i> .	development application in the Project Area with respect to the noise environment, particularly when proposed near major transportation noise sources such as SR 99, Cherokee Lane, Stockton Street, Lodi Avenue, Tokay Street, other arterial roadways, and/or the UPRR. Also, require noise assessments for all redevelopment-facilitated discretionary applications where noise-sensitive receptors are proposed in areas adjoining commercial or industrial noise sources, such as subareas 1, 3 and 4, and for noise-generating development facilitated by the redevelopment plan when proposed adjacent to noise-sensitive land uses. The results of the noise assessments and the measures identified to reduce noise levels shall be incorporated in the project plans sufficient to meet stipulated exterior and interior noise level standards. All such evaluations shall be completed to City satisfaction by a qualified acoustical consultant. With implementation of measures identified throughout such evaluations to meet these standards, this potentially significant impact would be reduced to a <i>less-than-significant level</i> .						
Impact 9-2: Redevelopment-Facilitated Construction Noise. Construction activities can generate considerable noise levels. Construction activities facilitated by the redevelopment program could include site grading and preparation, building demolition, construction of foundations and buildings, installation of utilities, paving of roadways, and construction of parking lots. The noise effects of these future construction activities would depend upon the amount of activity, the type of equipment used, and the noise control measures used. Residential and other noise-sensitive uses located adjacent to project-facilitated construction activities could therefore be exposed to noise levels that would interfere with normal activities. This possibility constitutes a <i>potentially significant impact</i> .	<p>Mitigation 9-2: To reduce the potential for noise impacts resulting from project-facilitated construction activities, implement a combination of the following measures at all construction sites when noise-sensitive receptors are located in the project vicinity. The combination of measures shall be evaluated on an individual, project-by-project basis and shall be sufficient to achieve compliance with applicable City General Plan and/or Noise Ordinance standards at affected receptors.</p> <ul style="list-style-type: none"> Noise-generating construction activity shall be restricted to the hours of 7:00 AM to 7:00 PM, Monday through Friday, and 8:00 AM to 5:00 PM on Saturdays. No construction activities should occur on Sundays or holidays. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment. 	City and/or Redevel. Agency staff; individual project applicants	Condition of individual project approval; verified during construction	Condition of constr. (grading or building) permit; verify during construction	Lodi Redevelopment Agency or City		

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	<ul style="list-style-type: none"> Stationary noise-generating equipment shall be located as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction Project Area. All construction traffic to and from the project site shall be routed via designated truck routes where possible. Construction-related heavy truck traffic in residential areas shall be prohibited where feasible. "Quiet" air compressors and other stationary noise sources shall be used where technology exists. A "noise disturbance coordinator" shall be designated who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site and included in the notice sent to neighbors regarding the construction schedule. (The City should be responsible for designating a noise disturbance coordinator and the individual project sponsor should be responsible for posting the phone number and providing construction schedule notices). <p>Implementation of this measure would reduce the potential for project-related impacts due to construction noise to a <i>less-than-significant level</i>.</p>						

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AIR QUALITY							
<p>Impact 10-1: Construction Activity Air Quality Impacts. Construction activities facilitated by the proposed redevelopment plan could generate construction period exhaust emissions and fugitive dust that could affect local air quality. In addition, buildings constructed prior to 1979 could have Asbestos Containing Materials (ACMs), which could be released into the air during building demolition. Such construction-period air emissions possibilities represent a <i>potentially significant impact</i>.</p>	<p>Mitigation 10-1: The City shall require that individual redevelopment-facilitated projects within the Project Area involving new construction shall comply, where applicable, with current SJVUAPCD Regulation VIII requirements, which currently include the following:</p> <ul style="list-style-type: none"> ▪ Appropriate dust suppression for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities, such as the effective application of water or pre-soaking; ▪ Effective stabilization of all disturbed areas of a construction site, including storage piles, which are not being actively used for seven or more days; ▪ Control of fugitive dust from on-site unpaved roads and off-site unpaved access roads; and ▪ Removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site, for the duration of the activity. <p>Regulation VIII also requires a Dust Control plan for construction activity that will include 40 acres or more of disturbed surface area, or will include moving more than 2,500 cubic yards per day of bulk materials on at least three days.</p> <p>In addition, where appropriate, the City may also wish to require the following:</p> <ul style="list-style-type: none"> ▪ A limitation on traffic speeds on unpaved roads to 15 miles per hour (mph); ▪ Installation of wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site; 	City and/or Redevel. Agency staff; individual project applicants	Condition of individual project approvals; verified during grading	Condition of grading permit; verify during construction	Lodi Redevelopment Agency or City		

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	<ul style="list-style-type: none"> ▪ Suspension of excavation and grading activities when winds exceed 20 mph; and/or ▪ A limitation on the size of the area subject to excavation, grading or other construction activity at any one time to avoid excessive dust. <p>Prior to each the start of construction, the applicant shall submit a <i>dust control plan</i> demonstrating compliance with all SJVUAPCD- and City-required control measures.</p> <p>To mitigate any potential demolition-related air quality impacts from ACMs, the demolition contractor would be required to comply with all local, state and federal regulations regarding determination of existence of ACMs, and proper removal and disposal to reduce air quality risks associated with airborne ACMs.</p> <p>With implementation of these Regulation VIII controls and the above additional measures, project-related construction period air emissions impacts would be reduced to a <i>less-than-significant level</i>.</p>						
Impact 10-2: Long-Term Regional Emissions Increases. Emissions resulting from new vehicle trips generated by redevelopment-facilitated intensification in the Project Area would, by the year 2020, be expected to exceed the applicable thresholds of significance for Reactive Organic Gases (ROG) and Nitrogen Oxides (NO _x), resulting in a <i>significant project impact</i> . When this increase in "mobile emissions" is considered cumulatively with possible new industrial "stationary sources" of emissions that could locate within the redevelopment area, the total of project-related indirect and direct emissions would also exceed applicable significance thresholds. As a result, the project would also be expected to contribute to a <i>significant cumulative impact</i> .	Mitigation 10-2: The following emissions control strategies shall be applied to redevelopment program-facilitated development activities within the Project Area: <ul style="list-style-type: none"> ▪ Where practical, future development proposals shall include physical improvements, such as sidewalk improvements, landscaping, lighting and the installation of bus shelters and bicycle parking, that would act as incentives for pedestrian, bicycle and transit modes of travel. ▪ Employment-generating development projects of 10,000 square feet (approximately 25 employees) or more shall be required to provide secure and weather-protected bicycle and shower/locker facilities for employees. 	City and/or Redevel. Agency staff; individual project applicants	Condition of individual project approvals, incl. annual reporting requirements	Condition of project approvals; verify through annual reporting reqmnts	Lodi Redevelopment Agency or City		

1 - Impl. Entity = Implementation Entity

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (CONDITION OF APPROVAL)	MONITORING				VERIFICATION	
		Impl. Entity ¹	Type of Monitoring Action	Timing Requirements	Monitoring and Verification Entity	Signature	Date
	<ul style="list-style-type: none"> Employment-generating development projects shall provide carpool/vanpool incentives, develop an employee rideshare incentives program, or use other feasible transportation demand measures to reduce vehicle trip generation. <p>Implementation of these measures would assist in reducing identified project and cumulative impacts on long-term regional emissions levels. The URBEMIS7G program estimates that the above measures would reduce regional indirect emissions by five to seven percent. This reduction would not reduce this impact to a less-than-significant level even in the absence of potential industrial emissions. Since no other feasible measures are available, these identified project and cumulative effects on regional air emissions would represent a <i>significant unavoidable impact</i>.</p>						
VEGETATION AND WILDLIFE							
<p>Impact 11-1: Potential Loss of Special-Status Species. Although chances of encountering special-status species in the Project Area are low, redevelopment-facilitated development consistent with the adopted <u>City of Lodi General Plan</u> may result in impacts on special status species. This possibility represents a <i>potentially significant impact</i>.</p>	<p>Mitigation 11-1: If disturbance to suitable giant garter snake habitat (i.e., drainage ditches) is proposed as part of a redevelopment-assisted individual development or improvement project, systematic surveys shall be conducted before such a development is approved in order to determine definitively whether any giant garter snakes occur. Such surveys shall be conducted by a qualified wildlife biologist or a herpetologist following applicable guidelines of the California Department of Fish and Game (CDFG) and/or U.S. Fish and Wildlife Service (USFWS) to provide a conclusive determination on presence or absence of this animal specie. If any populations are encountered, an appropriate mitigation plan shall be developed in consultation with, and meeting the mitigation criteria of, the CDFG and USFWS, and in compliance with specifications of the SJMSCP, section 5.2.4.8. Implementation of this measure would ensure protection of possible populations of special-status animal species (i.e., giant garter snake) in the Project Area, mitigating potential impacts to a <i>less-than-significant level</i>.</p>	City and/or Redevel. Agency staff; individual project applicants	Require completion of giant garter snake survey if existing drainage ditch will be affected by project; ensure implementation of mitigation plan and coordination with juris. agencies (USACOE, USFWS and/or CDFG) if habitat affected	During individ. project environ. review; prior to grading permit issuance	Lodi Redevelopment Agency or City		

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IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (CONDITION OF APPROVAL)	MONITORING				VERIFICATION	
		Impl. Entity ¹	Type of Monitoring Action	Timing Requirements	Monitoring and Verification Entity	Signature	Date
Impact 11-2: Jurisdictional Wetland Impacts. Redevelopment-facilitated development consistent with the adopted City of Lodi General Plan could affect potential jurisdictional wetland habitat. This possibility represents a <i>potentially significant impact</i> .	Mitigation 11-2: All redevelopment-facilitated development that would involve modifications to potential wetlands and other waters, such as seasonal wetlands that could be present in vacant or underused parcels, shall be coordinated with representatives of the California Department of Fish and Game and the U.S. Army Corps of Engineers, as required by federal and state law, to ensure that any required mitigation protocols and associated individual project design modifications are incorporated into proposed improvement plans during the initial stages of project review. Implementation of this measure would ensure that potential impacts on wetland resources are minimized and adequate replacement is provided, mitigating this potential impact to a <i>less-than-significant level</i> .	City and/or Redevel. Agency staff; individual project applicants	During project environ. review, if wetlands appear to be present, req. biologist to determine if wetlands are present and as cond. of devel. permit, req. implementation of any juris. agency mitigation reqmnts.	Prior to approval of grading permit	Lodi Redevelopment Agency or City		
CULTURAL RESOURCES							
Impact 12-1: Project-Related Potentials for Disturbance of Archaeological Resources. Development encouraged and improvements funded by the proposed redevelopment program could disturb sensitive archaeological resources in the Project Area. This possibility represents a <i>potentially significant impact</i> .	Mitigation 12-1: In the event that subsurface cultural resources are encountered during approved ground-disturbing activities for a redevelopment program-related construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the find. The discovery or disturbance of any cultural resources should also be reported to the Central California Information Center (CCIC), and if prehistoric, to the Native American Heritage Commission. Identified cultural resources should be recorded on a State Department of Parks and Recreation (DPR) Form 422 (archaeological sites). Mitigation measures prescribed by these groups and required by the City should be undertaken prior to resumption of construction activities. Implementation of this measure would reduce this potential impact to a <i>less-than-significant level</i> .	City and/or Redevel. Agency staff; individual project applicants	Grading inspection and reporting	Cond. of grading permit; inspection during grading	Lodi Redevelopment Agency or City		

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		Impl. Entity ¹	Type of Monitoring Action	Timing Requirements	Monitoring and Verification Entity	Signature	Date
<p>Impact 12-2: Destruction/Degradation of Historic Resources. Project-facilitated development in the Project Area has the potential to destroy or substantially degrade historic resources, if these resources are not identified or recognized and their maintenance, rehabilitation or appropriate reuse are not promoted. Such destruction or degradation would be considered a <i>potentially significant impact</i>.</p>	<p>Mitigation 12-2: Evaluate all future project-assisted public improvement projects and private development projects for the presence of, and potential impacts on, historic resources. If disturbance of a Project Area historic resource cannot be avoided, a mitigation program shall be implemented. The City and private sponsors of future individual projects on sites that contain unlisted structures 45 years or older shall have a qualified professional architectural historian prepare a report to evaluate the suitability of the structure for historic status. If the structure is determined to be eligible for historic status, the Lodi Planning Commission should determine whether the structure should be preserved in place, offered for relocation to another site, or documented with photographs and a report for submittal to a museum or library prior to demolition.</p> <p>Alternatively, a single survey of the Project Area shall be completed and any buildings 45 years of age or older be evaluated and their potential architectural and/or historic significance be determined, prior to any project-facilitated development. Implementation of these measures would reduce this potential impact to a <i>less-than-significant level</i>.</p>	City and/or Redevel. Agency staff; individual project applicants	During environ. review for individ. projects, ensure that any affected historical resources have been identified and mitigation program implemented as appropriate	Prior to approval of grading or building permit	Lodi Redevelopment Agency or City		

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